With a view to reducing the number of undertrial prisoners, the Commission requested Inspector Generals of prison all over the country to facilitate the implementation of the judgement of the Hon'ble Supreme Court in 'Common Cause' Vs. Union of India and others, which inter-alia directed the Registrars of High Courts to ensure that certain categories of undertrial prisoners whose cases have been pending in the Courts or whose trial has not commenced for specified periods, may be released on bail or personal bond or discharged or acquitted. However, no specific directions have been issued to the Government by the Commission, in this regards.

(b) Although 'Prison' is a State subject under the Constitution of India, the Central Government have always expressed their concern about the large number of undertrials languishing in jails without being formally brought to trial. The Central Government while inter acting with the State Governments has stressed upon them to reduce the number of undertrials and has been suggesting various steps, like strengthening the infrastructure relating to the Administration of Criminal Justice and Prison Management, the liberalistion of bail procedure, speedy trial of cases, etc.

Supreme Court Directive on Vohra Committee Report

821. SHRI O.P. KOHLI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Supreme Court had asked the Union Government on August 21 last to file an affidavit on the follow up action taken by it on the Vohra Committee Report on the nexus among the politicians, bureaucrats and criminals;

(b) if so, whether any affidavit had been filed and if so, a bread outline thereof; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR):

(a) Yes, Sir.

(b) Yes, Sir. On the issue of Nodal Agency set-up in pursuance of the recommendations of the Vohra Committee Report, the Supreme Court has observed that it is only a supervisory body without having clearly delineated powers and cannot, therefore, be very effective in controlling the pace and thrust of investicative efforts. In addition, while the Nodal Agency may be suited to coordinate and exchange information between different investigative agencies, its composition is such that it may not be viewed by public as completely independent or immune from pressure of every kind. For this reason, the Court has suggested that this task should be entrusted to an independent body that is capable of enjoying the completed trust and confidence of the people. The Court has observed that an insititution like the Ombudsman or a Lok Pal, properly set up would command such confidence and respect. Till such time, this institution is created the Court has recommended that a High Level Committee be appointed by the President of India with the advice of the Prime Minister and after consultation with the Speaker of Lok Sabha for monitoring investigations involving the kind of nexus referred to in the Vohra Committee Report.

The observations of the Supreme Court were carefully considered by the Union Cabinet. it is noted that a Lok Pal Bill has already been introduced by the Government in Lok Sabha which is being followed up. This meets with the Observation of the Supreme Court that "an institution like Lok Pal, properly set up could command such confidence and respect." While the measures to get the Lok Pal Bill passed are being followed, Government have set up a three Member Committee comprising of Shri B.G. Deshmukh, former Cabinet Secretary, Shri N.N. Vohra, Principal Secretary to the PM and Shri S.V. Giri, Central Vigilance Commissioner, to (i) monitor the working of the Nodal Agency and (ii) to examine the present structure and working of Central Bureau of Investigation (CBI), the Enforcement Directorate and related agencies to suggest changes, if any, needed to ensure:

(i) that offences alleged to have been committed by any persons,

particularly, those in positions of high authority, are registered, investigated and prosecuted fairly expeditiously, ensuring against, inter alia, external pressure, arbitrary withdrawals or transfers of personnel, etc., and ensuring adequate protection to the personnel to effectively discharge their duties and responsibilities;

(ii) that there are sufficient checks and balances to ensure that the powers of investigation and prosecution are not misused.

(iii) that there are no arbitrary restrictions to initiation of investigations or launching of prosecution.

(c) Does not arise.

Terrorism in North-East

822. DR. B.B. DUTTA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have made any assessement about latest rising wage of terrorist violence in North-Eastern States;

(b) if so, the total loss of property and the number of persons lost their lives as a result thereof; and

(c) the steps taken/proposed to be taken to bring the terrorist outfits into the national mainstream?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR): (a) and (b) Yes, Sir, The situation in the insurgency affected North-Eastern States is reviewed at various levels from time to time and appropriate decisions taken. Since 1993 and upto 5.11.97, a total of 5265 persons including Security Forces/Police personnel, civilians and militants have lost their lives in the currently insurgency-affected States of Assam, Nagaland, Manipur and Tripura. No assessment of the quantum of property lost has been carried out.

(c) The steps taken included an offer of unconditional talks with all militant groups operating in the North-East Region, Sustained coordinated counter-insurgency operations, thrust to the economic development of the region with the objective of creating infrastructure and generating employment opportunities.

विदेशी नागरिकों की गिरफ्तारी

823. **श्री ओंकार सिंह लखावत:** क्या गृह मंत्री यह बताने की कृपा करेंगे कि:

(क) गत तीन वर्षों में देश के किस-किस राज्य में कितने विदेशी नागरिक गिरफ्तार किए गए;

(ख) किस विदेशी को किस-किस अपराध के आरोप में गिरफ्तार किया गया;

(ग) गत तीन वर्षों के दौरान नशीले पदार्थों के अवैध व्यापार में लिप्त कितने विदेश अवैध नशीली सामग्री सहित गिरफ्तार किए गए और उनसे कितनी नशीली सामग्री बरामद हुई; और

(घ) सरकार ने विदेशी नागरिकों द्वारा किए गए अपराधों को रोकने के लिए एवं भविष्य में ऐसी घटनाएं न होने देने के लिए क्या-क्या प्रयास किए हैं और उनके क्या परिणाम रहे?

गृह मंत्रालय में राज्य मंत्री (श्री मोहम्मद मकबूल डार): (क) से (घ) सूचना एकत्र की जा रही है और सदन के पटल पर रख दी जाएगी।

Foreigners Residing Illegally

824. SHRI R. RAHMAN KHAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) how many foreign Nationals are overstaying, nationality-wise;

(b) how many of them have applied for Indian Nationality, nationality-wise; and

(c) in how many cases Government have given Indian nationality to foreign citizens during the past three years, nationality-wise?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR): (a) Powers under the Foreigners Act, 1946 to identify and deport foreign nationals residing in India illegally/ beyound the validity of their visas have been delegated to the State Governments/UT Administrations. Such data is not maintained centrally. Instructions have been issued/